



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

In re patent application of: NIVET & TRADEMARK OFFICE

Serial No.: 09/709,421

Filed: November 13, 2000

For: DEVICE FOR ACTUATING A SEAT ELEMENT
AND SEAT ...

Examiner: None

Art Unit: 2121

Docket #: P06978US00/RFH

COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Attached is:

- a response after Final Rejection dated
- a response to the Office Action dated February 4, 2000.
- a Preliminary Amendment
- a Petition for an extension of time
- Other:

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FEB 13 2002

Technology Center 2100

Fees: For claims if required and/or other fees as shown below:

	NOW	Previously Paid For	Present Extra	Rate	\$
TOTAL CLAIMS				X \$ 18 =	
INDEP. CLAIMS				X \$ 84 =	
TOTAL OF ABOVE CLAIMS FEES =					
Reduction by ½ for small entity status of applicant					
SUBTOTAL =					
Fee for extension of time (per attached Petition)					
Other fee for					
TOTAL OF ALL FEES =					

..... A check in the amount of \$ * is enclosed. If no check or an insufficient check is enclosed and
..... a fee is due in connection herewith, the Commissioner is authorized to charge any fee or
additional fee due in connection herewith to Deposit Account No. 12-0555.

- In the event that a petition for extension of time is required to be submitted herewith and that
a separate petition is not submitted herewith, applicant hereby petitions under 37 CFR
1.136(a) for an extension of time of as many months as are required to render this
submission timely. Any fee is authorized above.

Respectfully submitted,

By: Ross F. Hunt, Jr.
Registration No.: 24,082

Date: February 12, 2002

LARSON & TAYLOR, PLC • 1199 North Fairfax St. • Suite 900 • Alexandria, VA 22314



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: NIVET

Patent

Serial No.: 09/709,421

Examiner: Unassigned

Filed: November 13, 2000

Art Unit: 2121

For: DEVICE FOR ACTUATING A SEAT ELEMENT AND SEAT ... Docket No.: P06978US00/RFH

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RESPONSE

FEB 13 2002

Commissioner for Patents
Washington, D.C.
SIR:

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In the NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121) mailed February 4, 2002, it was indicated that the amendment filed on "2/28/01" was considered non-compliant because (#3) "a clean version of the amended claim(s) is required." However, it will be appreciated that the requirement for a clean version of amended claims was not mandatory until March 1, 2001. For the period from September 8, 2000 to February 28, 2001, the Federal Reg. 54603 and 1238 O.G. notice of Sept. 19, 2002 indicated that "amendments in compliance with former §1.121 will be accepted until March 1, 2001. After that date Amendments must comply with revised §1,121."

It is thus evident that as the Preliminary Amendment filed on Feb. 28, 2001 was only required to be in compliance with former § 1.121, and as it was in compliance with former § 1.121, there was no non-compliance with the rules.

It is therefore requested that the present NOTICE ON NON-COMPLIANT AMENDMENT be withdrawn, and that the previously filed Preliminary Amendment be entered.

Respectfully submitted,

Date: February 12, 2002

By: Ross F. Hunt, Jr.
Reg. No.: 24,082

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